

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Guri Gonzalez v. 1233 S. Hope, Inc. et al.

Gonzalez · No. 2:25-cv-10136-FLA-MBK · Decided November 3, 2025

SUMMARY

The Central District of California orders the plaintiff to show cause why the court should exercise supplemental jurisdiction over claims under California’s Unruh Civil Rights Act and related state law. The order requests briefing on statutory damages and declarations addressing whether the plaintiff and counsel qualify as high-frequency litigants under California law.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 3, 2025
DOCKET	2:25-cv-10136-FLA-MBK
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause requiring the plaintiff to explain why the court should exercise supplemental jurisdiction over the Unruh Civil Rights Act claim and related state-law claims.
PRECEDENTIAL VALUE	unknown
PARTIES	Guri Gonzalez v. 1233 S. Hope, Inc. et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- federalism
- ada / disability
- public accommodations discrimination

PRACTICE AREAS

- civil procedure
- disability access litigation
- supplemental jurisdiction
- civil rights

QUESTIONS PRESENTED

1. Whether the court should exercise supplemental jurisdiction over plaintiff's Unruh Civil Rights Act claim and any related state-law claims under 28 U.S.C. § 1367.
2. What information plaintiff and counsel must provide to permit the court to evaluate the discretionary jurisdictional factors and whether they qualify as high-frequency litigants under California law.

HOLDINGS

1. Supplemental jurisdiction is discretionary rather than a right of the plaintiff, and the district court may decline to exercise it under 28 U.S.C. § 1367(c), including when exceptional circumstances and compelling reasons counsel against jurisdiction.
2. The court did not yet decide whether to decline supplemental jurisdiction; instead, it ordered plaintiff to show cause and provide information relevant to the jurisdictional determination.

KEY QUOTATIONS

“The United States Supreme Court has recognized supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right, and that district courts can decline to exercise jurisdiction over pendent claims for a number of valid reasons.””

“when deciding whether to exercise supplemental jurisdiction, “a federal court should consider and weigh in each case, and at every state of the litigation, the values of judicial economy, convenience, fairness, and comity””

“Failure to timely or adequately respond to this Order to Show Cause may result in the court declining to exercise supplemental jurisdiction over the Unruh Act claim and any related state law claims and dismissing such claim or claims without further notice”

FACTUAL BACKGROUND

The complaint alleges a violation of the Americans with Disabilities Act and asserts a related California Unruh Civil Rights Act claim seeking damages. The state-law claim appears to involve construction-related accessibility allegations, an area in which California has adopted heightened pleading requirements and a high-frequency-litigant fee. The court relied on the relationship between the federal and state claims and California's interest in regulating disability-access litigation in deciding to require a response before determining whether to exercise supplemental jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed a complaint asserting an ADA claim for injunctive relief and an Unruh Civil Rights Act claim for damages, requesting supplemental jurisdiction under 28 U.S.C. § 1367. Before resolving the jurisdictional question, the district court ordered plaintiff to provide written reasons, identify the statutory damages sought, and submit declarations addressing whether plaintiff and counsel satisfy California's high-frequency-litigant provisions.

DISPOSITION

CASES CITED

- City of Chi. v. Int'l Coll. of Surgeons, 522 U.S. 156 (1997)
- Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343 (1988)
- Acri v. Varian Assocs., 114 F.3d 999 (9th Cir. 1997)
- Schutza v. Cuddeback, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017)

OPINION

CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. 2:25-cv-10136-FLA-MBK Date November 3, 2025 Title GURI GONZALEZ V. 1233 S. HOPE, INC. ET AL Present: The Honorable Fernando L. Aenlle-Rocha, U. S. District Judge Twyla Freeman Not Reported Deputy Clerk Court Reporter/Recorder Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s): Not Present Not Present Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THE COURT SHOULD EXERCISE SUPPLEMENTAL JURISDICTION OVER THE STATE LAW CLAIM The Complaint filed in this action asserts a claim for injunctive relief arising out of an alleged violation of the Americans with Disabilities Act (the “ADA”) and a claim for damages pursuant to the California’s Unruh Civil Rights Act (the “Unruh Act”), Cal. Civ.

Code §§ 51-53. In the Complaint, Plaintiff requests the court exercise supplemental jurisdiction over the Unruh Act Claim pursuant to 28 U.S.C. § 1367. The United States Supreme Court has recognized supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right, and that district courts can decline to exercise jurisdiction over pendent claims for a number of valid reasons.” City of Chi. v. Int’l Coll. of Surgeons, 522 U.S. 156, 172 (1997) (internal quotation marks and citations omitted).

The supplemental jurisdiction statute codifies these principles. After establishing that supplemental jurisdiction encompasses “other claims” in the same case or controversy as a claim within the district courts’ original jurisdiction, § 1367(a), the statute confirms the discretionary nature of supplemental jurisdiction by enumerating the circumstances in which district courts can refuse its exercise: “(c) The district courts may decline to exercise supplemental jurisdiction “(3) the district court has dismissed all claims over which it has original jurisdiction, or “(4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction.” 28 U.S.C. § 1367 (c).

Depending on a host of factors, then -- including the circumstances of the particular case, the nature of the state law claims, the character of the governing state law, and the relationship

between the state and federal claims - - district courts may decline to exercise jurisdiction over supplemental state law claims.

The statute thereby reflects the understanding that, when deciding whether to exercise supplemental jurisdiction, “a federal court should consider and weigh in each case, and at every state of the litigation, the values of judicial economy, convenience, fairness, and comity” *Id.* at 173 (quoting *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 350 (1988)); see also *Acri v. Varian Assocs.*, 114 F.3d 999, 1000 (9th Cir.

1997) (recognizing district courts have discretion to decline to exercise supplemental jurisdiction under § 1367 (c)). In 2012, California adopted a heightened pleading standard for lawsuits brought under the Unruh Act to combat the influx of baseless claims and vexatious litigation in the disability access litigation sphere. Cal. Code Civ. Proc. § 425.50.

The stricter pleading standard requires a plaintiff bringing construction-access claims¹ to file a verified complaint alleging specific facts concerning the plaintiff’s claim, including the specific barriers encountered or how the plaintiff was deterred and each date on which the plaintiff encountered each barrier or was deterred. See *id.* § 425.50(a). California also imposed a “high-frequency litigant fee” in 2015 in response to the “special and unique circumstances” presented by certain plaintiffs and law firms filing an outsized number of Unruh Act Lawsuits.

Cal. Gov’t Code § 70616.5. ¹ “‘Construction-related accessibility claim’ means any civil claim in a civil action with respect to a place of public accommodation, including, but not limited to, a claim brought under [Cal. Civ. Code] Section 51, 54, 54.1, or 55, based wholly or in part on an alleged violation of any construction-related accessibility standard, as defined in paragraph (6).” Cal. Civ.

Code § 55.52(a)(1). “‘Construction-related accessibility standard’ means a provision, standard, or regulation under state or federal law requiring compliance with standards for making new construction and existing facilities accessible to persons with disabilities, including, but not limited to, any provision, standard, or regulation set forth in Section 51, 54, 54.1, or 55 of this code, Section 19955.55 of the Health and Safety Code, the California Building Standards Code (Title 24 of the California Code of Regulations), the federal Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), and the federal Americans with Disability Act Accessibility Guidelines (Appendix A to Part 36, of Title 28, of the Code of Federal Regulations).” Cal. Civ.

Code § 55.52(a)(6). access laws, district courts within the state have determined that the interests of fairness and comity counsel against exercising supplemental jurisdiction over construction-access claims brought under the Unruh Act. See, e.g. *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025, 1031 (S.D. Cal. 2017) (“[T]he Court finds it would be improper to allow Plaintiff [a high frequency litigant] to use federal court as an end-around to California’s pleading requirements.

Therefore, as a matter of comity, and in deference to California's substantial interest in discouraging unverified disability discrimination claims, the Court declines supplemental jurisdiction over Plaintiff's Unruh Act Claim.").

In light of the foregoing, the court ORDERS Plaintiff to show cause in writing why the court should exercise supplemental jurisdiction over the Unruh Act claim and any related state law claims. See 28 U.S.C § 1367(c).

In responding to this Order to Show Cause, Plaintiff shall identify the amount of statutory damages Plaintiff seeks to recover. Plaintiff and his or her counsel also shall support their responses to the Order to Show Cause with declarations, signed under penalty of perjury, providing all facts necessary for the court to determine if they satisfy the definition of a "high-frequency litigant" as provided by Cal. Code Civ.

Proc. § 425.55(b)(1) & (2). Plaintiff shall file a Response to this Order to Show Cause within fourteen (14) days of this Order. Failure to timely or adequately respond to this Order to Show Cause may result in the court declining to exercise supplemental jurisdiction over the Unruh Act claim and any related state law claims and dismissing such claim or claims without further notice, pursuant to 28 U.S.C. § 1367(c).

The Court may set a hearing on the OSC after reviewing the parties' responses, if necessary. IT IS SO ORDERED. Initials of Clerk: doc